

**ORDINANCE ESTABLISHING CERTAIN FEES AND SURCHARGES CHARGED  
BY THE DURHAM CITY-COUNTY PLANNING DEPARTMENT, THE DURHAM  
CITY TRANSPORTATION DEPARTMENT AND THE DURHAM CITY-COUNTY  
INSPECTIONS DEPARTMENT**

WHEREAS, the City Council establishes fees for various services offered by the Planning Department and miscellaneous planning-related fees charged by the Inspections Department and the City Transportation Department; and

WHEREAS, the fees have been rationally calculated so as to allow recovery of a substantial portion of the cost of the services that users of the services of the departments receive; and

WHEREAS, it is necessary to readopt certain existing fees, to add certain other fees, and to make minor modifications regarding administrative implementation of the adopted fees;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURHAM THAT:

SECTION 1. Fee Schedule Part 6-101C is changed to read as follows, with the additions shown in underlining and deletions shown through strike-outs, which underlining and strike-outs shall not appear upon reprinting or codification:

**Part 6-101C (General fees) (Fees applicable with respect to submittals filed to meet submittal deadlines on or after July 1, ~~2009~~ 2011)**

**Section 1**

**A. Zoning Map Change (Rezoning):**

Per-acre fees shall be calculated on the entire project and shall not be calculated on a prorata share. Cases with multiple zones, are charged the highest base fee applicable according to the zone or use categories proposed, plus the per-acre fee according to the acres in each of the categories proposed.

1. **Residential, Not Multi-Family, 1 acre or less:** \$750.00 per case, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
2. **Modification to Existing Design Guidelines (Only):** \$750.00 per case, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
3. **Residential, Not Multi-Family or PDR, greater than 1 acre and less than or equal to 20 acres:** \$2,250.00, plus \$55.00 per acre (rounded up), plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
4. **Residential, Not Multi-Family or PDR, greater than 20 acres:** \$3,500.00, plus \$55.00 per acre (rounded up), plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
5. **PDR:** \$4,500.00, plus \$55.00 per acre (rounded up), plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
6. **Office, Residential Multi-Family, Mixed Use, Commercial, Industrial, Design District, or Research zones:** \$4,000.00, plus \$65.00 per acre (rounded up), plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
7. **Re-Review Fees (applicable to all development applications):** Half of filing fee, plus technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review.
8. **Development Plan as Site Plan/Preliminary Plat:** Half of zoning base fee, plus half of the site plan or preliminary plat base fee, plus technology surcharge of 4%.

**B. Board of Adjustment Applications:**

1. **Custodial Care (single residential unit on same lot as primary residential unit, for custodial care purposes):** \$75.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
2. **Small Day Care Use Permit (up to 12 persons being cared for):** \$475.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.

3. **Non-revenue Generating Single Family Use Permit (fences, etc.):** \$475.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
4. **Wireless Communication Facilities Use Permit:** \$3,165.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs, plus \$5,000.00 for independent professional consultant review.
5. **Appeal:** \$300.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
6. **All Other BOA Applications (any other Use Permit, Appeal, Variance, etc.):** \$1,300.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.

#### C. Major Special Use Permit Applications:

1. **Wireless Communication Facilities Use Permit:** \$3,165.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs, plus \$5,000.00 for independent professional consultant review.
2. **Traffic Impact Analysis (TIA) Use Permit:** \$2,025.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.
3. **All Other Major Special Use Permit Applications:** \$2,025.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.

#### D. Site Plans:

1. **Administrative Site Plan – Site plans that require Planning Department review only:** \$150.00, plus technology surcharge of 4%.
2. **Simplified Site Plan - Small (It is “small” only if none of the following four measures or criteria is exceeded: 1000 sq. ft. of new building area, 1 acre disturbed area, 5% increase in parking area, and minor amendments to site plan of record that do not involve changes to the SIA):** \$1,000.00, plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
3. **Simplified Site Plan - Large (It is “large” if any of the “small” measures or criteria is exceeded.):** A base charge of \$2,500.00. Plus \$25.00 per 1000 square feet of gross building area (rounded up), or \$25.00 per lot, or \$25.00 per attached dwelling unit. Plus technology surcharge of 4%. Plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
4. **Minor Site Plan:** A base charge of \$3,500.00. Plus \$25.00 per 1000 square feet of gross building area (rounded up), or \$25.00 per lot, or \$25.00 per attached dwelling unit. Plus technology surcharge of 4%. Plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
5. **Major Site Plan:** A base charge of \$4,000.00. Plus \$25.00 per 1000 square feet of gross building area (rounded up), or \$25.00 per lot, or \$25.00 per attached dwelling unit. Plus technology surcharge of 4%. Plus a surcharge for letter notice on those projects requiring governing body approval. Plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
6. **Re-Review Fees (applicable to all development applications):** Half of filing fee plus technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review.
7. **Landscape Extensions:** Major non-residential, defined as greater than 25,000 square feet in gross floor area: \$300.00; minor non-residential, defined as less than or equal to 25,000 square feet in gross floor area: \$150.00; residential \$75.00 per lot. Plus technology surcharge of 4%.
8. **Floodplain Development Permit (Small):** Floodplain Development Permit initiated through the Planning Department that does not require review of a flood study or approval by an elected body - \$150.00 plus technology surcharge of 4%.
9. **Floodplain Development Permit (Large):** Floodplain Development Permit initiated through the Planning Department that requires review of a flood study or approval by an elected body - \$500.00 plus technology surcharge of 4%.
10. **Development Plan as Site Plan/Preliminary Plat:** Half of zoning base fee, plus half of the site plan or preliminary base fee, plus technology surcharge of 4%.

#### E. Subdivision Plats:

1. **Preliminary Plat:** \$3,400.00, plus \$25.00 per lot, plus technology surcharge of 4%, plus surcharge for letter notice on those projects requiring governing body approval; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
2. **Preliminary Plat, Cluster, or Conservation Subdivision** \$4,000.00, plus \$25.00 per lot, plus technology surcharge of 4%, plus surcharge for letter notice on those projects requiring governing body approval; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
3. **Final Plats:** \$700.00, plus \$25.00 per lot, plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
4. **Exempt Final Plats:** \$75.00, plus technology surcharge of 4%.

5. **Re-Review Fees (applicable to all development applications):** Half of filing fee, plus technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review.
6. **Landscape Extensions:** Major non-residential, defined as greater than 25,000 square feet in gross floor area: \$300.00; minor non-residential, defined as less than or equal to 25,000 square feet in gross floor area: \$150.00; residential \$75.00 per lot; plus technology surcharge of 4%.
7. **Development Plan as Site Plan/Preliminary Plat:** Half of zoning base fee, plus half of the site plan or preliminary plat base fee, plus technology surcharge of 4%.

**F. Landscape Re-Inspection Fees:** \$100.00, plus technology surcharge of 4% for first re-inspection. For each subsequent re-inspection, the total fee under this subsection, including the technology surcharge, will increase by \$104.00. For example, the total fee for the first re-inspection will be \$104.00; the total fee for the second re-inspection will be \$208.00; and the total fee for the third re-inspection will be \$312.00.

**G. Land Use Plan Amendment:** \$2,100.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice.

**H. Historic Preservation Fees:**

1. **Historic Landmark Designation:** \$500.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice.
2. **Major Certificate of Appropriateness, Historic Preservation Commission Review:** \$150.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice.
3. **Minor Certificate of Appropriateness, Historic Preservation Commission Review:** \$150.00, plus technology surcharge of 4%, plus surcharges for letter notice.
4. **Administrative Certificates of Appropriateness, Administrative Review:** \$25.00, plus technology surcharge of 4%.
5. **Historic Signs:** \$150.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice.

**I. Common Signage Plan Review:**

1. \$175.00, plus technology surcharge of 4%.
2. **Banner Plan Review Only:** \$75.00, plus technology surcharge of 4%.

**J. Street/Alley Closing:** \$800.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs.

**K. Street/Alley Renaming:** \$600.00, plus technology surcharge of 4%, plus surcharges for advertising, letter notice and signs; plus reimbursement for all street sign replacement costs.

**L. Unified Development Ordinance Text Amendment:** \$3,000.00, plus technology surcharge of 4%, plus surcharge for advertising and letter notice.

**M. Zoning and Business Verification Letters:** \$15.00, plus technology surcharge of 4%.

**N. Home Occupation Permit:** \$25.00, plus technology surcharge of 4%.

**O. Formal Letter of Interpretation:** \$40.00, plus technology surcharge of 4%.

**P. Vested Rights Determination:** \$1,500.00, plus technology surcharge of 4%, plus surcharge for advertising and signs.

**Q. Surcharges:**

**1. Newspaper Advertising for:**

- a. Zoning Map Change, Land Use Plan Amendment, or Street Closing: \$460.00; if case has to be heard by both governing bodies, \$690.00.
- b. BOA, Major Special Use Permit, Street Renaming, Vested Rights Determination, Certificates of Appropriateness and Historic Landmark Designations: \$230.00.
- c. Unified Development Ordinance Text Amendment: \$690.00.

**2. Letter Notice for:**

- a. Zoning Map Change or Land Use Plan Amendment: \$95.00.
- b. BOA, Major Special Use Permit, Street Renaming or Street Closing: \$53.00.

3. **Signs:** For Zoning Map Change, BOA, Major Special Use Permit, Vested Rights Determination, Street Renaming or Street Closing: \$100.00. If multiple signs are necessary to adequately notify neighbors, multiple signs will be charged for at the case intake.
- R. **Costs for Departmental Publications:** Copies of publications on hand on June 16, 2008: \$5.00. Reproductions or new publications will be priced according to costs.
- S. **Large Format Copies:** \$1.00 per square foot (for example: a 3 foot by 6 foot map equals 18 square feet for a copying charge of \$18.00).
- T. **Limited Agriculture Permit:** \$25.00, plus technology surcharge of 4%.
- U. **Architectural Review (per Section 3.24 of the Durham Unified Development Ordinance)** \$150.00 plus technology surcharge of 4%.

## Section 2

~~The technology surcharge imposed under this Part 6-101 shall expire on July 1, 2011. The amount of the fee with the surcharge will be in an amount as rounded by the City Manager.~~

Certain fees charged by the City-County Inspections Department (identified as Part 4-101, Part 4-102, Part 4-104, Part 4-105, and Part 4-106) shall include an additional 4% technology surcharge, with the exception of the fees in Schedule G of Part 4-101 (Fire Prevention Construction Permits and Plans Review Fees).

The technology surcharge imposed under Part 6-101C and under Part 4-101, Part 4-102, Part 4-104, Part 4-105, and Part 4-106 shall expire on July 1, 2010-2012. The amount of the fee with the surcharge will be in an amount as rounded by the City Manager.

## Section 3

~~Administrative reductions of the fees described above may be made in writing by the Planning Director for requests in which a re-review is being conducted, and the Director determines that the time, effort, and processing by staff will be so substantially reduced compared to what is required for a typical re-review that it would be inequitable to charge the standard fee for such re-review. The fee charged shall be roughly proportionate to the cost of staff time and other required measures, as determined in the absolute discretion of the Planning Director.~~

Administrative reductions of the fees described above (in this Part) for review of a submitted development application may be made in writing by the Planning Director when the Director determines that the time, effort, and processing by staff will be so substantially reduced compared to what is required for a typical review that it would be inequitable to charge the standard fee for such review.

The fee charged shall be roughly proportionate to the cost of staff time and other required measures, as determined in the absolute discretion of the Planning Director.

## Section 4

Part 6-101C shall apply with respect to submittals filed to meet submittal deadlines on or after July 1, 2010-2011. Previous resolutions and ordinances shall apply with respect to submittals filed earlier.

SECTION 2. Fee Schedule Part 6-102 is changed to read as follows, with the additions shown in underlining and deletions shown through strike-outs, which underlining and strike-outs shall not appear upon reprinting or codification:

### Part 6-102 (Traffic Impact Analyses and Transportation Special Use Permits)

The fees to be charged by the City-County Planning Department for development review undertaken by the Public Works Department shall be as follows:

- A. Traffic Impact Analysis, fewer than 1,000 peak hour trips: \$4,000, plus technology surcharge of 4%, plus surcharges for Advertising, Letter Notice and Sign.
- B. Traffic Impact Analysis, equal to or greater than 1,000 peak hour trips: \$6,000, plus technology surcharge of 4%, plus surcharges for Advertising, Letter Notice and Sign.
- C. Transportation Special Use Permit: \$1,800, plus technology surcharge of 4%, plus surcharges for Advertising, Letter Notice and Sign.

D. Traffic Impact Phasing Analysis, fewer than 1,000 peak hour trips: \$2,000, plus technology surcharge of 4%.

E. Traffic Impact Phasing Analysis, equal to or greater than 1,000 peak hour trips: \$3,000, plus technology surcharge of 4%.

~~A 4% technology surcharge shall be added to these Traffic Impact Analysis fees during the period July 1, 2004 through June 30, 2009.~~  
The technology surcharge imposed under this Part 6-102 shall expire on July 1, ~~2010-2012~~. The amount of the fee with the surcharge will be in an amount as rounded by the City Manager.

SECTION 3. Except as otherwise provided, this ordinance is effective July 1, 2011.